



Evangelical  
Lutheran Church  
in America

*Draft*

**REVISED & CORRECTED  
CONSTITUTION  
FOR  
GLORIA DEI  
LUTHERAN CHURCH**

Saint Paul, Minnesota

*working version March 29, 2024*



## INTRODUCTION to the *Model Constitution for Congregations*

The *Model Constitution for Congregations*, like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news, and share the love of God in the world. Each expression of this church—churchwide, synod and congregation—is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, the *Model Constitution for Congregations* is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The *Model Constitution for Congregations* originally was adopted by the Constituting Convention of the Evangelical Lutheran Church in America and has been amended by subsequent churchwide assemblies. This edition includes amendments approved by the sixteenth Churchwide Assembly in 2022. It is consistent with the requirements of the governing documents of the ELCA’s churchwide organization, and it provides organizational flexibility to recognize local context.

### REQUIRED AND RECOMMENDED PROVISIONS

Sections of this constitution marked by [\*] are **required provisions** when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (*i.e.*, neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, which requires that when a congregation of this church “wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b.” in the ELCA constitution. Provisions in the *Model Constitution for Congregations* identified by [\*] are those required under ELCA constitutional provision 9.25.b.

The other provisions in the *Model Constitution for Congregations* (those that are not marked by [\*]) are **recommended provisions**. These provisions provide suggested wording that congregations may find useful. They may be included, omitted, or altered at the discretion of the individual congregation.

### REVIEW BY SYNOD

Each congregation of this church is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03. and Chapters 16, 17, and 18 of the *Model Constitution for Congregations*, certain amendments to a congregation constitution only become effective when approved by the synod, while others need only be reported to the synod. (For a full explanation of the amendment and review process, please see the chapters referenced above in this paragraph.)

For those changes that require synod review, the synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the

changes go into effect upon notification that the synod has approved them. No governing document amendment will be approved by a synod if it conflicts with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* or with any provisions of the *Model Constitution for Congregations*.

Amendments that bring the congregation's constitution into conformity with the *Model Constitution for Congregations*, whether to match required or recommended provisions, go into effect immediately upon approval by the congregation meeting, and are then reported to the synod.

In order to be sure that amendments meet constitutional requirements and avoid potential problems, congregations are strongly urged to submit all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions to the synod for review before voting on them.

#### **CODIFICATION EXPLANATION**

The *Model Constitution for Congregations*, like the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and the *Constitution for Synods*, is organized into chapters by general subject matter and codified as follows:

- a. Constitutional provisions in the *Model Constitution for Congregations* are codified with two sets of numbers, preceded by a "C": the chapter number followed by a period, and a two-digit sequence number also followed by a period.
  1. **Required constitutional provisions**, as explained above, are preceded by [\*]. For example, \*C5.02. is a required constitutional provision in Chapter 5, the chapter on Powers of the Congregation.
  2. **Recommended constitutional provisions**, as explained above, are not preceded by [\*]. For example, C5.05. is a recommended provision in Chapter 5, the chapter on Powers of the Congregation.
  3. **Other constitutional provisions**, including modified versions of the recommended provisions, may be proposed and adopted by individual congregations. Such provisions may not conflict with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and are adopted and become effective in accordance with Chapter 16 of the *Model Constitution for Congregations*.
- b. The *Model Constitution for Congregations* contains no required or recommended **bylaws**. If a congregation chooses to adopt bylaws, they should be codified with three sets of numbers, each followed by a period: the chapter number (preceded by a "C"), the related constitutional provision number, and a two-digit bylaw number. For example, a bylaw could be codified as C5.03.01.

Bylaws are adopted and amended in accordance with Chapter 17 of the *Model Constitution for Congregations*. Congregations may adopt bylaws related to each congregation's organization, operation, and life. Bylaws should be incorporated following the constitutional provisions to which they apply. They should not be organized in a separate section or document.

- c. The *Model Constitution for Congregations* does not contain any suggested **continuing resolutions**. If congregations adopt continuing resolutions, those also are codified with three sets of numbers, except that the third set is preceded by a capital letter indicating sequence and a two-digit number indicating the year of its adoption. For example, if a congregation adopted one or more continuing resolutions in 2022 related to the Powers of the Congregation, the first continuing resolution adopted could be numbered “C5.03.A22.”

Continuing resolutions are adopted and amended in accordance with Chapter 18 of the *Model Constitution for Congregations*. They are intended to provide more detailed descriptions of operational patterns and practices within the congregation. They should be incorporated following the constitutional provisions and/or bylaws to which they apply. They should not be organized in a separate section or document.

Each congregation has discretion and may develop its own constitutional provisions, bylaws, and continuing resolutions (including bylaws and continuing resolutions related to required constitutional provisions) as long as they do not conflict with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* or required constitutional provisions in the *Model Constitution for Congregations*.

**Note:** In some chapters, you will see that certain numbers are missing from the numbering sequence. These omissions are intentional in order to provide options for future additions.

#### **ADDITIONAL CONSIDERATIONS**

- Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision \*C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, entire alternative provisions are provided. For example, in C11.02., options are provided separated by the word “or.” Each congregation should select one of those options. Where a blank line appears, such as in C12.01., the appropriate word, phrase, or number determined by the individual congregation should be inserted.
- “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed.

The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work. Accordingly, each congregation should review its governing documents regularly, at least following each triennial Churchwide Assembly. Documents summarizing amendments to the *Model Constitution for Congregations* are posted on the Office of the Secretary page on ELCA.org shortly after each Churchwide Assembly. In addressing your constitutional responsibilities, may God grant you and your

colleagues wisdom, discernment, and commitment to the unity of this church in faithful witness to our Lord and Savior, Jesus Christ.

Secretary Sue E. Rothmeyer  
Evangelical Lutheran Church in America

August 12, 2022

**Additions**

**Deletions**

**Bylaws or CRs no longer attached to constitutional provisions**

**MODEL CONSTITUTION  
for  
CONGREGATIONS  
of the  
EVANGELICAL LUTHERAN  
CHURCH IN AMERICA®**

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**\*PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

**Chapter 1.**

**NAME AND INCORPORATION**

- C1.01.** The name of this congregation shall be Gloria Dei Lutheran Church of St. Paul, Minnesota.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Gloria Dei Lutheran Church is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Minnesota.

**Chapter 2.**

**CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their

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\* Required provision

authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scripture and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

### Chapter 3. NATURE OF THE CHURCH

- \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- \*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- \*C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide



organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

#### Chapter 4.

#### STATEMENT OF PURPOSE

- \*C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- \*C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
  - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
  - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed and committing itself to their needs.
  - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
  - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- \*C4.03.** To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
  - b. Provide pastoral care and assist all members to participate in this ministry.
  - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
  - d. Teach the Word of God.
  - e. Witness to the reconciling Word of God in Christ, reaching out to all people.

- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for this congregation's ministry and the ministry of **the other parts expressions** of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

**\*C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.

**\*C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

**\*C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## Chapter 5.

### POWERS OF THE CONGREGATION

**\*C5.01.** The powers of this congregation are those necessary to fulfill its purpose.

**\*C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

**\*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:

- a. call a **pastor** as provided in Chapter 9;
- b. terminate the call of a **pastor** as provided in Chapter 9;
- c. call a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;

- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution and bylaws; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

**\*C5.04.** This congregation shall elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the St. Paul Area Synod of the Evangelical Lutheran Church in America.

**C5.05.** This congregation shall develop the Congregational Stewardship Funds to enhance the ministry of Gloria Dei Lutheran Church. The Funds will operate as specified in this congregation's by-laws and continuing resolutions.

**C5.05.01. a)** The Congregational Stewardship Funds (CS Funds) shall include all monetary and non-monetary charitable gifts accepted by this congregation for the purpose of distribution consistent with this congregation's mission. These funds are intended to provide a perpetual source of annual income to benefit the mission of this congregation and the specified gift categories outlined below.

**b)** The solicitation and acceptance of these charitable gifts shall be in accordance with Gift Solicitation and Acceptance Guidelines that are developed and maintained by the Development Committee and approved by the Congregation Council. Upon acceptance, the gifts will be placed in the fund(s) designated by the donor.

**c)** There shall be two broad categories of funds: 1) the Endowment Fund; and 2) the Designated Gift Funds.

**1)** The Endowment Fund approved by this congregation in 1987 shall operate consistent with the terms of the enabling resolution including the allowed distribution of funds. This fund is intended to exist in perpetuity. Distributions from this Fund shall be approved by the membership at the Annual Meeting.

2) The Designated Gift Funds are intended to provide an on-going source of funding to benefit the identified categories of ministry. These categories are:

- i) Mission: to support local, regional and world outreach ministries;
- ii) Faith Formation: to support youth and adults in their life-long learning and faith development;
- iii) Scholarship: to provide college and seminary scholarships for youth and adults of this congregation, including ELCA college scholarships and ELCA campus ministry activities.
- iv) Worship and Music: to sustain and enrich the Christ-centered worship life in this congregation.
- v) Capital Projects: to fund significant maintenance projects, major renovations and new facilities.

The Congregation Council shall recommend any modifications to these Designated Gift Fund categories for approval by the membership at the Annual Meeting.

Designated or undesignated gifts, grants and memorials intended to be distributed within 12 months of the receipt of the gift will not be included in the Endowment Fund or Designated Gift Funds, and will be distributed consistent with Gifts, Grants and Memorials Committee guidelines.

The existing Helen Holm Fund will be integrated into the Worship and Music Fund. The Reynold and Esther Carlson Fund will be integrated into the Scholarship Fund and Faith Formation Fund. Existing donor stipulations will continue to govern the use of the proceeds from those funds.

- d) The Gifts, Grants and Memorials Committee will propose annual distributions from all Designated Gift Funds. The committee will solicit input regarding the distribution of funds from the membership, the Congregation Council, committees and minister of Word and Sacrament(s) and staff. Distribution of funds shall be approved by the membership at the Annual Meeting or any other legally called meeting of this congregation.
- e) Distribution from each of the categories of the Designated Gifts Funds other than the Endowment Fund, shall not exceed fifty (50) percent of the fund's value annually unless

- specifically approved by the membership at the Annual Meeting or any other legally called meeting.
- f) In the event that this congregation ceases to exist either through merger or dissolution, disposition or transfer of the CS Funds shall be at the discretion of the Congregation consistent with all terms of the constitution and by-laws.
  - g) The Investment Committee may recommend to liquidate or consolidate any CS Fund other than the Endowment Fund if the value of the fund is less than \$10,000 as long as this action is consistent with any terms of acceptance of the gift and is approved by the Congregation.
  - h) The Investment Committee shall not be liable for any financial losses incurred in any CS Fund, except to the extent such losses resulted from bad faith or gross negligence. No member shall be personally liable as long as the member acts in good faith and with ordinary prudence. Each member shall be liable only for their own willful misconduct or omissions and shall not be liable for the acts or omissions of other members of the Committee.

#### **Chapter 6.**

#### **CHURCH AFFILIATION**

- \*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the St. Paul Area Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- \*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
  - a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church

body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

**\*C6.04.** Affiliation with the Evangelical Lutheran Church in America is terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Saint Paul Area Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. This congregation follows the procedures outlined in \*C6.05.

**\*C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the intent to terminate its relationship must be adopted at ~~a two~~ legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. ~~Such meeting~~ The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless ~~he or she~~ the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, The secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of this congregation.

- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the notice attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, still seeks to terminate its relationship is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.

Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.

Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case \*C7.04. shall apply.

- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.

- 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synod approval before terminating their membership in this church.
- 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after that second meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.

**\*C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.

**\*C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

## Chapter 7.

### PROPERTY OWNERSHIP

**\*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the St Paul Area Synod of the Evangelical Lutheran Church in America.

**\*C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline



or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

**\*C7.03.** If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the St Paul Area Synod.

**\*C7.04.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

**\*C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Saint Paul Area Synod—reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8. MEMBERSHIP

**\*C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

**C8.01.01.** Responsibilities of this congregation for fostering faithful

membership shall include:

- a. Proper instruction in the Work of God and the teaching of the Lutheran Church prior to reception as confirmed members;
- b. Transfer of membership to another Lutheran congregation or the issuing of a certificate of standing and/or release to another evangelical congregation at the request of the confirmed member. Such transfer of membership or issuing of a certificate of standing and/or release should be granted to baptized but unconfirmed children at the request of their parents.
- c. Encouraging members who move from the community which the congregation serves to transfer to a Lutheran congregation which can serve them effectively and in which they can participate regularly. A Lutheran congregation in the new community in which such members live shall be notified of their move.

**\*C8.02.** Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- d. **Associate** members are persons holding membership in other ELCA congregations who wish to retain such membership but desire to

participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.

- e. **Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
  - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
  - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with **the ELCA; this church;**
  - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

**C8.03.01.** In the event that the Congregation Council shall refuse to ratify an application for confirmed membership, the congregation council shall inform the applicant in writing of the reasons for its action and the procedure to be followed in the event an appeal is made; such procedure shall be in harmony with the appeal procedure for a member of the congregation who has been placed under discipline.

**\*C8.04.** It shall be the privilege and duty of members of this congregation to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in

America through contributions of their time, abilities, and financial support as biblical stewards.

- \*C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
  - b. resignation;
  - c. transfer or release;
  - d. disciplinary action by the Congregation Council, in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
  - e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

**C8.05.01.** In an effort to encourage fulfillment of the duties and responsibilities of membership, this congregation shall have continuing concern and conscientious minister of Word and Sacramental care for members, when they do not partake of Holy Communion, support the church with their offerings, or participate in the life and worship of this congregation.

**C8.05.02.** When such members have failed to receive Holy Communion and to make a contribution of record for a period of two consecutive years, the Congregation Council may remove them from the membership roll. This procedure will take place only when there is a minister of Word and Sacrament under call to serve this congregation, or with the approval of the bishop of the synod and after such members have been counseled about the matter, if possible.

## **Chapter 9.**

### **ROSTERED MINISTER**

- \*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

**C9.01.01. a.** Balloting shall be limited at any one meeting to a

single nomination presented by the Congregation Council with at least two-thirds of its members concurring. Two-thirds of the votes cast shall be necessary for election.

**b.** After the congregation has determined the salary and emoluments to be offered to the minister of Word and Sacrament-elect, the Congregation Council shall execute a call accordingly and forward the same to the person elected.

**c.** Unless otherwise agreed, the call shall normally become invalid unless a definite answer is received within thirty days after its receipt. If a nominee fails of election or declines the call, the Congregation Council shall make another nomination at a subsequent meeting.

**d.** If this congregation unites with one or more other congregations in calling a minister of Word and Sacrament, the Congregation Councils of all congregations in the parish shall meet jointly and agree on a single nomination for election, the balloting to be done separately in each congregation. Two-thirds of all the votes cast, and a majority of the votes cast in each congregation shall be required for election. The joint congregation shall issue the call.

**\*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.

**\*C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,

- a. Every minister of Word and Sacrament shall:
- 1) preach the Word;
  - 2) administer the sacraments;
  - 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

- 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications; available channels of effective communication;
  - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
  - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world; advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- b. Each pastor with a congregational call shall, within the congregation:
- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
  - 2) relate to all schools and organizations of this congregation;
  - 3) install regularly elected members of the Congregation Council;
  - 4) with the council, administer discipline;
  - 5) endeavor to increase the support given by the congregation to the work of the the ELCA churchwide organization and of Saint Paul Area Synod of the ELCA; and

6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

**\*C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synodical bishop, for any of the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions; without reflection on the competence or the moral and spiritual character of the minister of Word and Sacrament;

- 4) ~~the physical or mental incapacity of the minister of Word and Sacrament; inability to conduct the pastoral office effectively in view of disability or incapacity of the pastor;~~
- 5) ~~suspension of the minister of Word and Sacrament pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; for more than three months;~~
- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
- 7) ~~the dissolution of the congregation; termination of the relationship between this church and this congregation;~~
- 8) ~~suspension of the congregation as a result of discipline proceedings; dissolution of this congregation or the termination of a parish arrangement; or~~
  - 9) ~~suspension of this congregation through discipline for more than six months.~~
- b. When allegations of disability or ~~physical or mental~~ incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
  - 1) the bishop, ~~in his or her~~ who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged disability or ~~physical or mental~~ incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament ~~as disabled with disability status.~~ ~~Upon removal of the disability and the restoration of the pastor to health~~ ~~Upon resumption of the ability to conduct the office effectively,~~ the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation ~~all concerned persons shall be heard, after which the bishop of the synod together with the committee described in \*C9.05.b. shall decide on the course of~~

action to be recommended to the minister of Word and Sacrament and the congregation. If they under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

(f.?) If, following the appointment of the committee described in \*C9.05.b. or d., it should become apparent that the minister of Word and Sacramental office cannot be conducted effectively in the congregation(s) being served by the minister of Word and Sacrament due to local conditions, the bishop of the synod may temporarily suspend the minister of Word and Sacrament from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

\*C9.06. At a time of pastoral vacancy, an interim minister of Word and Sacrament pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

\*C9.07. During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.



- \*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting. ~~related to the Evangelical Lutheran Church in America.~~
- \*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastor, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- \*C9.11. With the approval of the bishop of the synod, this congregation may depart from \*C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.a.
- \*C9.12. The pastor of this congregation:
- shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
  - shall submit a summary of such statistics annually to the synod; and
  - shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- \*C9.13. The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14. ~~The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.~~
- C9.15. Under special circumstances, subject to the approval of the synod, ~~the~~ bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod, ~~the~~ bishop and approved by this congregation.
- \*C9.21. Authority to call a ~~minister of Word and Service~~ ~~deacon~~ shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued,

the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.

- \*C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.
- \*C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad; advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
  - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
  - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of the ELCA, this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:
- a. The call of a this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synodical bishop, for any of the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) ~~physical disability or mental incapacity of the deacon; inability to conduct the office effectively in view of disability or incapacity of the deacon;~~
  - 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of ~~physical~~ disability or ~~mental~~ incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop, ~~in his or her~~ who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged ~~physical~~ disability or ~~mental~~ incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service ~~as disabled with disability status~~. Upon ~~removal of the disability and restoration of the deacon to health, resumption of the ability to conduct the office effectively~~, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before

a. installation in another field of labor, or

b. the issuance of a certificate of dismissal or transfer.

beginning service in a call to another congregation or employment in another ministry setting.

**\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25 a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of

the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

**\*C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.

**\*C9.31.** The deacon(s) shall submit a report of **his or her** ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

#### **Chapter 10.**

#### **CONGREGATION MEETING**

**C10.01.** ~~The annual meeting of this congregation shall be held at a time specified in the bylaws. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Minnesota the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.~~

**C10.01.01.** There shall be an Annual Meeting of the membership no later than the second Sunday of February for the purpose of: approving the budget for the current fiscal year; receiving the annual reports of the minister of Word and Sacraments, the officers and committees for the fiscal year just ended; considering resolutions; approving undesignated gifts and endowment fund distributions; and transacting other business as necessary.

**C10.01.02.** In addition to the Annual Meeting, there shall be a General Meeting of the membership no later than the third Sunday of May of each year for the purpose of: electing members to vacant positions on the Congregation Council and other elected positions required to be filled by a vote of the members; prospectively setting priorities for the distribution of undesignated gifts and allowed endowment fund distributions; and transacting other business as necessary.

**C10.02.** A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president<sup>1</sup> of this congregation, and shall be

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<sup>1</sup> *If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.*

called by the president of this congregation upon the written request of ten (10) of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

**C10.02.01** At the request of a member, the secretary shall determine the number of voting members needed to request a special meeting pursuant to this section, and shall certify to the president the status of those members requesting a special meeting.

**C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings may be provided in addition to notice by regular mail.

**C10.04.** Fifty (50) percent of the voting members shall constitute a quorum. Voting by proxy or by absentee ballot shall not be permitted.

**C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

**C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

**C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

**C10.09.** "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

## **Chapter 11.** **OFFICERS**

**C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.

a. Duties of the officers shall be specified in the bylaws.

**C11.01.01.** The president shall preside at meetings of this congregation and the Congregation Council. In the event of the president's inability to serve, the vice-president shall preside.

**C11.01.02.** The secretary shall keep accurate minutes of all meetings of this congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives; and send any constitution or bylaw amendments to the bishop of the synod office.

**C11.01.03.** The financial secretary, if such an office is activated, shall receive and keep records of all income from contributing members and other sources.

**C11.01.04.** The treasurer shall: oversee or keep the books of account of this congregation: oversee receipt of all funds and disbursements on proper orders: and authorize monthly remittance of benevolence receipts to the treasurer of the synod. The treasurer shall be a member of the Budget & Finance Committee.

**C11.01.05.**

- a. The treasurer shall make written reports of financial transactions to the Congregation Council monthly and to the congregation, together with a satisfactory audit, at its Annual Meeting in February.
- b. The fiscal year of the congregation shall begin on the first day of January and end on the last day of December of each year.
- c. All financial officers shall give corporate surety in amounts determined by the Congregation Council, for which the congregation shall pay the premiums. Fidelity coverage provided by the ELCA shall be deemed a fulfillment of this requirement.

b. The officers shall be voting members of this congregation.

c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. [If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.]

C11.02. a. The Congregation Council shall elect its officers from the membership of the council they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

b. All officers shall be voting members of the congregation. If any of them ceases to be such, that office shall at once be declared vacant by the council, which shall fill the vacancy for the unexpired term.

C.11.02.01. a. The Senior Minister of Word and Sacrament shall call a meeting of the Congregation Council immediately following the General Meeting of the congregation for the purpose of election of officers.

C11.03. No officer shall hold more than one office at a time. Except for the treasurer, No elected officer shall be eligible to serve more than three two consecutive terms in the same office.

## Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) the deacon(s), the officers of this congregation, and thirteen elected members of this congregation, at least one of whom may be a youth and at least one of whom shall be a young adult. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02. Elected The members of the Congregation Council except the pastor(s) and deacon(s) shall be chosen elected by written ballot for terms of two years by a majority vote at a congregational meeting called for this purpose in accordance with the bylaws. Their tenure shall be arranged so that six of the terms expire every other year and the remaining seven terms expire in alternate years. to serve for ? years or until their successors are elected. Such members shall be eligible to serve no

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more than ~~three~~ two full terms consecutively. Their terms shall begin at the close of the ~~General Meeting in May~~ annual meeting at which they are elected.

**C12.02.01.** All elected Congregation Council members shall be installed at the next worship service following their election, or as soon thereafter as is convenient.

**C12.02.02.** The council shall elect a defined number of the representatives to the Gifts, Grants and Memorials Committee and the Investment Committee; delegates and alternate delegates to the St. Paul Area Council of Churches, the St. Paul Area Synod and the South Central Conference; and a defined number of the representatives to the Nominating Committee. All offices filled by ballot of the Council shall have terms of one year.

**C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. ~~Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.~~

**C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.

- g. To arrange for ~~minister of Word and Sacramental~~ pastoral service during the sickness or absence of the ~~minister of Word and Sacrament~~ pastor.
- h. To emphasize support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

**C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of [trustees] of this congregation and, as such, shall be responsible for maintaining and protecting its property and ~~the management of~~ managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
- c. The Congregation Council may enter into contracts of up to \$ 25,000 for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur ~~only after approval by a vote of the membership at a meeting of the congregation,~~ obligations of more than \$ 25,000 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of ~~benevolence -mission support~~ monies to the ~~synodical treasurer~~ synod.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

**C12.06.** The Congregation Council shall see that the provisions of this constitution, bylaw, and the continuing resolutions are carried out.

**C12.07.** The Congregation Council shall provide for an annual review of the membership roster.

- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** ~~The Congregation Council shall meet on a regular basis, normally monthly, and specially upon the call of the president or senior minister of Word and Sacrament in accordance with the constitution. Notice of each special meeting shall be given to all who are entitled to be present. The Council shall make meeting dates and times available to the congregation.~~ The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president<sup>2</sup>, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the senior pastor or interim pastor, except when the senior pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the senior pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13.** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, ~~as long as there is an opportunity for simultaneous aural communication or its equivalent, and, to the extent permitted by state law, notice of all meetings may be provided electronically.~~ To the extent permitted by state law, notice of all meetings may be provided electronically.

### Chapter 13.

#### CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.01.01.** The purpose of the Executive Committee is to perform and fulfill directives and instructions of the Congregation

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<sup>2</sup> If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

Council, and to act on behalf of the Council between regularly scheduled meetings of the Council. All actions of the Executive Committee shall be subject to the approval of the Congregation Council at its next meeting. This approval may be sought by mail, e-mail or facsimile. If a Mutual Ministry Committee is not appointed, the Executive Committee shall serve in this capacity.

**C13.02.** ~~A *Nominating Committee* of four voting members of this congregation shall be elected: two elected by the Council from among its members and two elected from the congregation at large by the membership. Committee members shall serve for one year. All called minister of Word and Sacraments shall serve as ex officio members of this committee and the senior minister of Word and Sacrament shall preside at its meetings. A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.~~

**C13.02.01.** The Nominating Committee shall annually nominate one candidate for each vacancy to be filled by election at a meeting of the membership. The nominee must be eligible for election and consented to the nomination. The slate of nominees shall be available to the members at least ten days prior to the meeting. Additional nominees may be made from the floor provided the nominee consents to the nomination and the nomination is seconded by no less than two voting members.

**C13.03.** ~~a. A Financial Report Auditors Committee of two persons shall be elected from the congregation at large by the membership. Its members shall serve terms of two years, which shall be staggered so that the term of one member expires each year. They shall annually review the financial reports of the congregation.~~

~~b. A Corporate Minutes Auditors Committee of two persons shall be elected from the congregation at large by the membership. Its members shall serve terms of two years, which shall be staggered so that the term of one member expires each year. They shall annually review the corporate minutes.~~

~~An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.~~

**C13.04.** ~~Mutual Ministry Committee(s)~~ shall be appointed jointly by the president and the rostered minister. The term of office shall be two years, with three members appointed each successive year. In the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee. ~~Mutual Ministry Committee(s)~~ (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

**C13.05.** ~~When a minister of Word and Sacramental vacancy occurs~~ When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of ~~seven~~ **six** voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called rostered minister. ~~In the selection of a minister of Word and Sacrament, the Congregation Council shall seek the counsel and guidance of the bishop of the synod.~~

**C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

**C13.06.01.** The Gifts, Grants and Memorial Committee and Investment Committee are standing committees of this congregation and shall report directly to the congregation.

- a) The Investment Committee is responsible for: 1) overseeing and managing all investment funds of this congregation including but not limited to the Congregational Stewardship Funds; 2) establishing and maintaining investment policies and criteria and making them available to the congregation; and 3) establishing and implementing procedures for processing fund distributions as directed by the Gifts, Grants and Memorials Committee and approved by the Congregation Council and congregation.

The Committee may hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest and in all other respects manage and control the assets of the investment funds of this congregation including the Congregational Stewardship Funds. Assets include but are not limited to stocks, bonds, debentures, mortgages, notes or other securities or real estate. Decisions regarding the management of these funds must be by majority vote of the Committee and consistent with the Investment Policy of this congregation.

The Committee shall be composed of five members as follows: two elected by this congregation for a two-year term; one each named by the Gifts, Grants and Memorials Committee and the Congregation Council; and the Senior Minister of Word and Sacrament. The Council shall fill any vacancies occurring in the interim. No member,

except the Senior Minister of Word and Sacrament, shall serve more than six consecutive years.

- b)** The Gifts, Grants and Memorials Committee is responsible for: 1) the distribution of any designated or undesignated gifts, grants or memorials received by this congregation; 2) the distribution of Designated Gift Funds in the Congregational Stewardship Fund; and 3) the distribution of proceeds from the Endowment Fund. The distribution shall be consistent with guidelines that are developed by this committee and approved, as appropriate, by the membership of this congregation as well as any donor stipulations. These guidelines shall address the circumstances, if any, under which loans may be made to the operating fund. This congregation must approve the proposed distribution of funds. The committee shall be composed of eleven (11) persons with six (6) elected by this congregation for a two-year term; four (4) appointed from the Congregation Council from its membership for a one-year term; and the Senior Minister of Word and Sacrament. The treasurer shall be one of the Congregation Council's appointees

**.C13.06.02. a)** The following Administrative Committees shall be standing committees of this congregation and report to the Congregation Council:

- 1) Budget & Finance
- 2) Facilities
- 3) Human Resources.

- b)** The composition of the Administrative Committees is as follows:
- 1) Budget & Finance. This committee shall be composed of not more than seven members, one of whom shall be the treasurer. No member of the committee shall serve more than six consecutive years.

- 2) Facilities. The composition of this committee will not be defined in the by-laws.
- 3) Human Resources. This committee shall be composed of seven members, including not less than three members of the congregation, up to two members of the Congregation Council, the council president and the Senior Minister of Word and Sacrament. An officer of the Congregation Council will chair the committee. The Executive Committee shall annually propose a slate of candidates to the Congregation Council for review and approval. No member of the committee, other than the Senior Minister of Word and Sacrament, shall serve for more than six consecutive years.

**C13.06.A05.** *The following ministry areas are identified by the Congregation Council, will report to the Council and may, at the Council's discretion, be represented by standing committees or modified as appropriate:*

- a) Faith Formation
- b) Development
- c) Outreach
- d) Volunteer Resources
- e) Worship
- f) Communications
- g) Racial Justice

**C13.07.** Duties of committees of this congregation shall be specified in the bylaws and continuing resolutions.

**C13.08.** Other congregational committees may be formed as the need arises, by decision of the congregation council.

**C13.08.01** The Congregation Council may create ad hoc committees and retain consultants it deems necessary for the accomplishment of particular tasks.

**C13.08.** The senior pastor of this congregation shall be *ex officio* a member of all committees and boards of this congregation. The [president]<sup>4</sup> [vice president] of this congregation shall be *ex officio* a member of all committees and boards of this congregation, except the Nominating Committee.

**C13.09.** Duties of committees of this congregation shall be specified in the continuing resolutions.

**C13.09.A05.** Duties of Administrative Committees defined in section 13.06.02 are as follows:

- a) *Budget & Finance.* This committee is responsible for the oversight of the financial records and affairs of this congregation and reporting on the financial status to the Congregation Council on a regular basis. The committee has the following specific responsibilities:
  - 1) *Coordinate the development of the annual budget by actively engaging other committees, ministry areas and staff to identify the resources necessary to carry out desired ministries and prepare a draft budget for presentation to the congregation council.*
  - 2) *Monitor on an on-going basis the receipt and expenditure of funds, regular financial statements, adherence to budget, financial management policies, and any audits of financial records.*
- b) *Facilities.* This committee is responsible for preserving, maintaining and enhancing the properties of this congregation. The committee has the following specific responsibilities:
  - 1) *Maintain and protect all buildings, grounds, property and equipment*

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<sup>4</sup> If the pastor is the president of the congregation, the congregation may consider selecting the vice president.



- of this congregation;*
- 2) *Arrange for, supervise and monitor the performance of any contracted work or services related to facility or property maintenance;*
  - 3) *Provide for the regular and special repair, maintenance and cleaning of buildings and grounds;*
  - 4) *Assure adequacy of building security;*
  - 5) *Establish and maintain facility use and access policies.*
- c) Human Resources Committee. This committee is responsible for maintaining a fair and equitable employment environment for all personnel. The committee has the following specific responsibilities:
- 1) *Create, maintain and review on a periodic basis, employee job descriptions and reporting relationships;*
  - 2) *Establish employment policies and, if appropriate, an employee handbook;*
  - 3) *Create and maintain an employee benefit plan;*
  - 4) *Assure that annual performance reviews are provided for all personnel;*
  - 5) *Assist the Call Committee in preparing a Letter of Call;*
  - 6) *Act as a grievance appeal board as necessary.*

**C13.09.B05.** *Duties of ministry areas as defined in section 13.06.A05 are as follows:*

- a) *Faith Formation. The mission of this ministry area is to support each person in this congregation in their life-long learning and faith development by providing opportunities for Christian*

*education and fellowship. It shall coordinate and monitor at least the following items or activities: adult education and fellowship; Sunday School and related activities; Vacation Bible School; youth activities; confirmation; nursery and early childhood and family ministries; intergenerational activities; the art committee; and the anti-racism team.*

- b) Development. The mission of this ministry area is to emphasize, promote and engage this congregation in an understanding of the stewardship of our lives as a response to God's grace. It shall have a development responsibility along with other appropriate areas to make members and friends of this congregation aware of the numerous opportunities for giving that are available in this congregation including the Congregational Stewardship Funds. It shall coordinate and monitor at least the following items or activities: on-going stewardship; the Annual Giving Appeal; the communication, education and promotion of the Congregational Stewardship Funds; and the development and maintenance of Gift Solicitation and Acceptance guidelines.*
- c) Outreach. The mission of this ministry is to witness to the Gospel of Jesus Christ in word and deed by serving, nurturing and supporting the people of this congregation, the community and the world. It shall coordinate and monitor at least the following items or activities: social advocacy; global concerns; new member programs; and community outreach and evangelism.*
- d) Shared Ministries. This mission of this ministry area is to provide human*

*resources and support for the ministries of this congregation; provide opportunities for growth for all people in this congregation while assuring that all will be treated fairly and equitably as demonstrated by Jesus Christ. It shall coordinate and monitor at least the following items or activities: member interest inventory; volunteer database; an annual time and talent recruitment activity; and the coordination of volunteer opportunities.*

- e) *Worship. The mission of this ministry area is to support and sustain an enriching and Christ-centered worship life in this congregation. It shall work with the minister of Word and Sacrament(s) and other paid personnel to coordinate worship services and seasonal observances. It shall oversee the recruitment, training and support of all worship assistants including readers, communion assistants, ushers, altar guild and acolytes. It shall provide coordination of all other activities, as necessary, that support the worship life of this congregation.*
- f) *Communications. The mission of this ministry area is to coordinate and disseminate information and materials that provide for greater communication among the membership and raise the external awareness of this congregation to the broader community. It shall coordinate and monitor at least the following items or activities: advertisements in the media; maintenance of the website; support for other committees and ministry areas of this congregation; and development of a communications plan and strategy.*

- g) *Racial Justice. This mission of this ministry is to lead the congregation in addressing issues of racial justice through discernment, discussion, action and prayer by developing congregational (internal) and community (external) engagement, by serving as advisors to other ministry committees and by being advocates who respond to racial justice issues that arise in the community, city, or nation. Members will serve for one or two year terms, staggered initially, for no more than a total of six years.*

#### **Chapter 14.**

##### **ORGANIZATIONS WITHIN THIS CONGREGATION**

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

#### **Chapter 15.**

##### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

- \*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel

to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

- \*C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two **clergy, rostered ministers**). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- \*C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
  - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - termination of membership in this congregation; or

d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

**\*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

**\*C15.07.** No member of a **this** congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

**\*C15.10. Adjudication**

- \*C15.11.** When there is disagreement **between or** among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation **shall have access to may petition** the synod **real** bishop for consultation after informing the president of this congregation of their intent **to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.**

**Chapter 16.**

**AMENDMENTS**

- \*C16.01.** Unless provision \*C16.04, is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least five (5) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C16.02.** An amendment to this constitution, proposed under \*C16.01., shall:
- be approved at any legally called **Congregation meeting according to this constitution meeting of this congregation** by a majority vote of those voting members present and voting; and
  - be ratified without change at the next **annual regular** meeting of this congregation by a two-thirds vote of those voting members present and voting, and

**e. have the effective date included in the resolution and noted in the constitution.**

- \*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. **The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the St. Paul Area Synod of the**

~~ELCA. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.~~

- \*C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail ~~or electronic means, as permitted by state law~~, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice ~~and call a meeting~~. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

#### **Chapter 17. BYLAWS**

- \*C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- \*C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- \*C17.03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- \*C17.04. ~~Approved changes to the~~ **Adopted or amended** bylaws shall be sent by the secretary of this congregation to the synod.

#### **Chapter 18. CONTINUING RESOLUTIONS**



- \*C18.01. This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- \*C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

**Chapter 19.**  
**INDEMNIFICATION**

- \*C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

**Chapter 20.**  
**PARISH AUTHORIZATION**

*[\* Required provisions when congregation is part of a parish]*

- \*C20.01. This congregation may unite with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- \*C20.02. One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- \*C20.03. One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod ical bishop to serve the congregations of the parish. Such a call

shall be approved prior to issuance by a two-thirds vote at a congregation meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

- \*C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- \*C20.06. Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

